G. R. S. 58]

Previous references.

Legr. File No. 19-11

1911 12

(Legr.) Serial Nos. /

Later references.

Same files 81. 4 /

——— 7-15-3

GENERAL AND REVENUE SECRETARIAT.

Serial No.

Part B for September 1911

SUBJECT.

Claims of the Kolar Gold Fields Mining Board for the unwrought gold and mining material urged and produce before State Court

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From The Pte. Secry to H. H 92 Dy 31/8/1911

Request that the paper relating to the subject with the view of the Dewan the Councillor and the opinion of the Dy Commissioner Kolar, on the subject be sent up to H H

GPB—5,000—22-10-10

Shroff

12-8-11

G.R.S. 1

1911-12

GENERAL AND REVENUE SECRETARIAT.

Legislation

NOTES.

File No. 19/1911

FILE HEADING.

Claim of the Kolar Gold Fields Mining Board for the unwrought gold and mining material seized and produced before State courts

From

The Private Secretary to H. H. the Maharaja

No. 92 Dated 31/8/11 Received 16/9/11

Diary No.	Enclos.	Spare Copies.	Serial No.
L 798	—	-	1

BRIEF ABSTRACT OF LETTER.

Requests that the papers relating to the subject with the views of the Dewan, the councillors and the opinion of the Dy. Commr Kolar on the subject be sent up to H. H.

NOTES AND ORDERS.

Dewans order thereon

To the Secretary

Please circulate to the councillors with the file and call for Deputy commrs Mr Srikanta Aiyar's opinion.

NOTES—First Sheet.

G. R. S. 12]
General and Revenue Secretariat.

Legn. File No. 19 of 1911-12

Serial No.

(2). Please also let me have information on the following points separately (This need not delay the circulation of the papers)

(a) What companies are represented on the Mining Board? What companies are not?

(b) What is the quantity of auriferous quartz confiscated to Govt. lying with the Special Magistrate's Court?"

Intd K.M
15/9/11

"Asst secretary III

Intd C.S.B.
16/9/11

"Early"

Intd S.N.
16/9/11

2 S.N. Action is being taken in a separate file for obtaining the opinion of Mr. Srikantaswamy Aiyar & the present deputy Govt Solicitor on the subject & the information referred to in 2(a) & (b). This file may now be circulated to Councillors as ordered.

SN (15) SN (11)
19/9/11 19.9.11

3 Yes.

20

19/9/11

(Sd)

Circulated

GPB—50,000—12-8-10

NOTE—Contn. sheet.

20/9/11

Regn 19-11
2 & 7

It is presumed that the file connected with the Civil proceedings by Collectors & Superintendents of the mining companies in a recent case would be required for this purpose. Confe. This is therefore sent herewith.
20/9(15)
21/9/11

Serial No.

unnecessary

5. It seems to me inexpedient to pass any executive order in the case as proposed. The question is well and exhaustively considered in the printed file put up and I have nothing to add.

27/9/11

6. Having been connected with the administration of Kolar Gold Fields as Deputy Commr of Kolar I am acquainted with the general phases of this question which is a sore point with the Mining Board. That the Board has no legal status as such is admitted. It cannot therefore lay a legal claim to gold ore not proved to belong to a particular mine. As a matter of policy it does not seem proper that the Mining Board should consider themselves as above law. The law abiding instinct comes naturally to

GPB—50,000—12-8-10

G. R. S. 12.]
General and Revenue Secretariat

Legis File No. 19 of 1911

Serial No.

the British people the issue of an ex-parte order as proposed will I fear have a far from wholesome effect on the public mind.

I am humbly of the opinion that it is inexpedient to reopen the question which has been set at rest

HWR
29/8/14

1387/1-10-11

Dewan

HB
1/10/14

I think so too. I am afraid the Chief Court have not been taking a judicial line in this matter.

VRao

RB
19/16

The papers have been ordered to be filed (vide Legis 16-10-28)

NOTE—Contn. sheet

1,000—12-8-10

Admitted to His Highness.

8 As requested in Mr. Campbell's D.O.letter No.92 dated 31st August 1911, I submit herewith the file on the subject of the claim of the Kolar Gold Fields Minig Board to auriferous quartz and Minig material seized on the Kolar Gold Fields or produced before a Court, with the opinion of the Councillors and of Mr. Srikanteswara Aiyer, Deputy Commissioner of Kolar.

2. It will be seen that opinion is unanimous against the proposal to pass an executive order directing that all such quartz etc should be handed over by the Government to the Mining Board. The subject has been fully considered before, as will be seen from the file put up (Legis File No.38 of 1906-1907) and the position taken up in our D.O.No.312 dated 15th November 1906 remains unaltered.

Page 11 of Collection flagged B

3. There are six mines on the Kolar Gold Field which are not represented on the Mining Board, against six which are so represented . These last are the most important of the working Mines.

4. The statement enclosed with letter No.2857/130 dated 11th October 1911 from the Deputy Commissioner of Kolar shows that the value of the property involved is very insignificant gree in the opinion that it would be inexpedient and opposed to public policy to pass an executive order on the lines mentioned in Mr.Campbell's letter.

5. Meantime, I may mention that a claim of this kind made by the Mining Board which was allowed by the Special Magistrate, Kolar Gold Fields is now pending before the Chief Court on the revision side, and an early pronouncement of the decision of the Chief Court may be expected.

In T Ramakrishna
23 Febr

Record of Cases submitted for the Orders of His Highness the Maharaja

Subject.

Claim of the Kolar Gold Fields Mining Board to auriferous quartz and Mining materials seized on the Fields or produced before a Court.

9. *Order.*

~~KRW~~

29/2/12

1/3/12

11. ass Hazey 11

4/3/12

5/3/12

6/3/12

13. Yes, he will come

D. O. No. 3626

D.O. No. 92

vide Drwans order on page 4

Fernhill, Ootacamund,
31st August 1911.

DIARY No. 2798

1911-1912
SECTION Ag's
No. 19-11
No. 1

My dear Sir,

You may remember that you and I discussed some time ago the question of the ~~Government's claim~~ to gold stolen from the Kolar Gold Field and that you were not averse to considering the advisability of - waiving, by executive order, the legal claim which Government has hitherto laid to all gold which is not proved to be the property of any particular mine. His Highness now desires that you will kindly send up the papers relating to this question with your own and the Councillors views His Highness would like the present Deputy Commissioner of Kolar also to be consulted. He understands that there are large quantities of - auriferous quartz, which has been declared confiscated to Government , lying in the Magistrate's Office at the Kolar Gold Fields which are valuless in their present state and which Government has no means of converting into ore. The reasons which may be suggested for allowing the Mining Board to appropriate all stolen

gold in future are, first, - the general reason that in the vast majority of cases the gold must have been stolen from one of their mines, though this fact is very difficult for them to prove by evidence. Moreover from the point of view of policy, the executive order suggested would be very much appreciated by the Mining Board and the pecuniary loss to Government would at the same time be hardly appreciable. From certain remarks made by the present Chief Judge, it would seem that the Mining Board feel that they receive very hard measure from Government in regard to this question.

Yours sincerely,

R. Lawrence

T.Ananda Row Esq.,C.I.E.,

ɔwan of Mysore,

Bangalore.

Dewan's order To HS

Keep this letter here

Recall for the entire file

ZG

21/9/11

Dewan's adv

To the Secy

Please circulate to the Commissioners with the file

Case for Dept's Comr Mr Sri Kantaswamy Iyer's opinion

(2) Please also let me have information on the following points separately (This need not delay the circulation of the papers)

(a) What Companies are represented on the Mining Board. What Companies are not?

(b) What is the quantity of auriferous quartz consticated to forts, lying in the Special Magts' Court?

HS
15.9.11

Secy 21/9/11